

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

David L. Briese

Serial No. 10/072,233

Filed: 2/7/02

For: SHEAR FRAGMENTING BULLET

Group Art Unit 3641

Examiner James S. Bergin

Docket No. 19545

*21/ Decl w/ att
3/10/04
Hines*

DECLARATION OF DAVID L. BRIESE

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

DAVID L. BRIESE declares that:

(1) He is the named inventor in the above-identified U. S. patent application.

(2) In early January, he presented to Mr. Thomas Wandishin, President of Manufacturing Technologies, Inc., for testing three types of bullet samples. The first bullet sample was a sample of the shear fragmenting bullet that is the subject matter of the present invention, as set forth in the above-identified patent application. The second was a sample of the bullet of his nephew, Mr. Torrey Briese, that is the subject matter of the U. S. patent No. 5,528,989 entitled "Highly Separable Bullet" that issued to Torrey Briese on June 25, 1996. He had acquired a number of these bullets previously at a trade show. The third bullet sample was a Hornady 22 caliber .224 inch diameter 53 grain hollow point Match Grade


premium bullet manufactured by the Hornady Mfg. Co. of Grand Island, Nebraska. I purchased these bullets in a carton (Exhibit No. 1) over-the-counter at a sporting goods store.

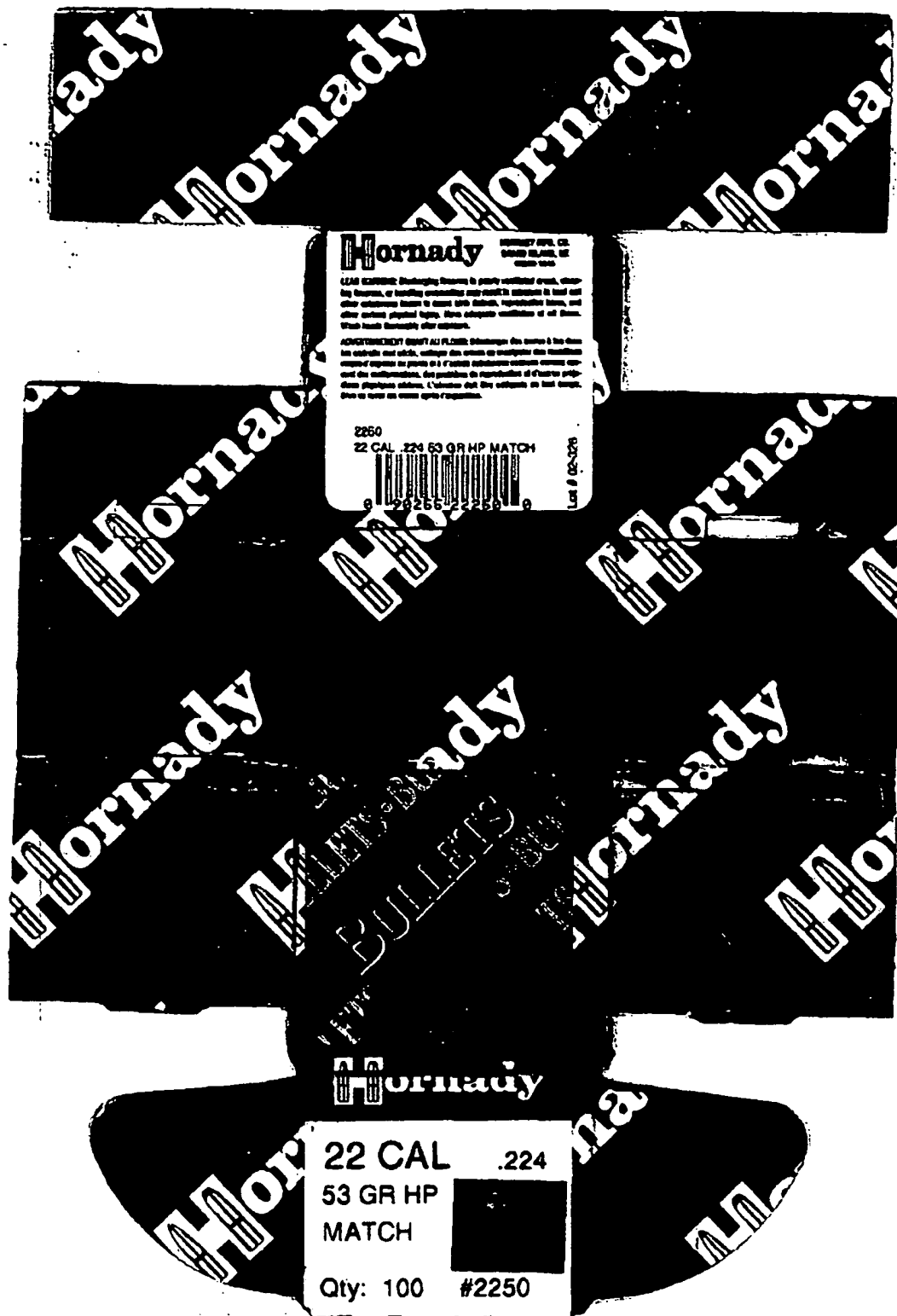
(3) Mr. Wandishin then conducted comparative testing of these three types of bullets, as set forth in the Declaration of Thomas Wandishin submitted concurrently. I have read and approve the Wandishin Declaration.

Further Declarant saith not.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Feb 25, 2004


David L. Briese, Inventor



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EXHIBIT

Briele No. 1